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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED 08 MAR 18 CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Juan GONZALEZ-Ramirez,** Defendant	Magistrate Docket No. '08 MJ 0852 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **March 17, 2008** within the Southern District of California, defendant, **Juan GONZALEZ-Ramirez,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **18th** DAY OF **MARCH 2008**

Leo S. Papas
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Juan GONZALEZ-Ramirez

PROBABLE CAUSE STATEMENT

On March 16, 2008, at approximately 2:00 p.m., Border Patrol Agent E. Bugarin was informed by San Diego Sector Communications Dispatch of a citizen call of a group of suspected illegal immigrants that had been dropped off by boat along the western shoreline of the Otay Lakes Reservoir. This area is approximately two miles east of the Otay Mesa, California Port Of Entry and three miles north of the United States/Mexico International Boundary.

Agent Bugarin responded to the area where the driver of the boat Jairo MEDINA-Cervantes was apprehended by Supervisory Border Patrol Agent M. Diaz. Agent Bugarin conducted a search of the area. With the help from a Border Patrol helicopter, a group of people were found hiding along the shoreline. Agent Bugarin approached the group and identified himself as a United States Border Patrol Agent then proceeded to question each as to their citizenship and nationality. All five, including one later identified as the defendant **Juan GONZALEZ-Ramirez**, admitted to being citizens and nationals of Mexico without any immigration documents allowing him to enter or remain in the United States legally. At approximately 3:30 p.m., Agent Bugarin placed the defendant under arrest and had him transported to the Chula Vista Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **or about March 6, 2008.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States.